



ATTORNEY'S DOCKET NO: 21924-005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants: Raymond P. Welnicki, et al.

Serial No: 09/865,279

Filed: May 25, 2001

For: COMPUTERIZED LIFESTYLE PLANNING SYSTEM AND METHOD

Examiner: Not Yet Assigned

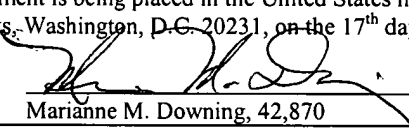
Art Unit: 2161

AUG 22 2001

Technology Center 2100

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on the 17th day of August, 2001.


Marianne M. Downing, 42,870

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT FILED PURSUANT TO
THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 and 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicants requests consideration of this Information Disclosure Statement.

PART I: Compliance With 37 C.F.R. §1.97

(Select A, B or C below)

A. ☒ This Information Disclosure Statement has been filed:

(Check 1, 2 and/or 3 below)

1. ☒ within three months of the filing date of the National Application.
2. ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application.

3. ☐ before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

B. ☐ This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311.

(Check 1 or 2 below)

1. ☐ The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.
2. ☐ The Applicant hereby certifies, as specified in 37 C.F.R. §1.97(e), that (Check a or b below)
 - a. ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.
No fee is required.
 - b. ☐ no item of Information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart for this application or, to the knowledge of the under signed after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.
No fee is required.

C. ☐ This Information Disclosure Statement has been filed after the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and before payment of an Issue Fee.

1. The Applicant hereby certifies, as specified in 37 C.F.R. §1.97(e), that:
(Check a or b below)

- a. ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.
 - b. ☐ no item of information contained in this Information disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.
2. A petition requesting consideration of the Information Disclosure Statement is attached.
 3. The petition fee of \$130 as set forth in 37 C.F.R. §1.17(i)(1) is enclosed.

PART II: Information Cited

- A. ☒ The Applicants hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.
- B. ☐ The Applicant hereby makes the following additional information of record in the above-identified application:

PART III: Explanation of Non-English Language References
and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified): no non-English language references have been submitted at this time.

PART IV: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that any more relevant information does not exist.

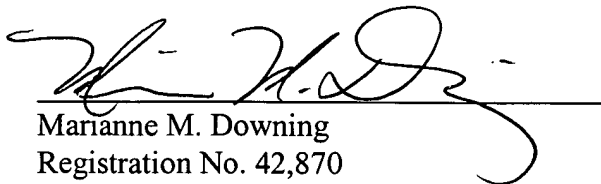
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "M. Downing", is written over a horizontal line.

Marianne M. Downing
Registration No. 42,870
Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111
Telephone 617/348-1805
Attorneys for Applicants

Date: August 17, 2001

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Page 1 of 1

Modified Form 1449/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Application Number	09/865,279
Filing Date	May 25, 2001
First Named Inventor	Welnicki, et al.
Group Art Unit	2161
Examiner Name	Not Yet Assigned
Attorney Docket Number	21924-005

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
		5,479,344	12/26/95	Keziah, Jr.	364	40 B	
		5,918,217	06/29/99	Maggioncalda et al.	705	36	
		6,012,043	01/04/00	Albright et al.	705	36	
		6,012,044	01/04/00	Maggioncalda et al.	705	36	
		6,021,397	02/01/00	Jones et al.	705	36	
		6,236,975 B1	05/22/01	Boe et al.	705	7	

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No

OTHER NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, U.S.S.N. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.

TRA 1556089v1



2161

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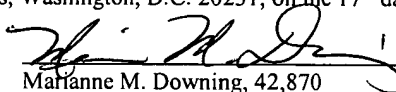
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Marianne M. Downing, 42,870

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the present application are the following documents:

- [X] STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 and 1.98;
- [X] PTO-1449 FORM WITH COPIES OF CITED REFERENCES ATTACHED; and
- [X] POSTCARD

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617/542-6000, Boston, Massachusetts.